

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOSHUA SPENCER

Plaintiff,

-v.-

Civil Action No.
9:12-cv-1721 (GLS/ATB)

DAVID HARRISON, *et al.*

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

JOSHUA SPENCER
Plaintiff *Pro Se*
#13465
Columbia County Jail
85 Industrial Tract
Hudson, New York 12534

FOR DEFENDANTS:

Goldberg, Segalla Law Firm
8 Southwoods Boulevard
Suite 300
Albany, New York 12211-2526

JONATHAN M. BERNSTEIN, ESQ.

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-

Recommendation by Magistrate Judge Andrew T. Baxter, duly filed January 8, 2014. Following fourteen (14) days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Andrew T. Baxter filed January 8, 2014 (Dkt. No. 26) is ACCEPTED in its entirety for the reasons state therein; and it is further

ORDERED that defendants' motion for summary judgment (Dkt. No. 16) is GRANTED; and it is further

ORDERED that the complaint is DISMISSED IN ITS ENTIRETY; and it is further

ORDERED that the Clerk of the Court is to mail copies of the Order to the parties in accordance with the court's local rules.

IT IS SO ORDERED.

Dated: February 3, 2014
Albany, New York


Gary L. Sharpe
Chief Judge
U.S. District Court